

Exhibit 17

Elsa Powell

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA
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6 MONIQUE RUSSELL, JASMINE RIGGINS, Civil Action No.
7 ELSA M. POWELL, and DESIRE EVANS, 18-5629
8 Plaintiffs, Honorable
Joshua D. Wolson

9 v.

10 EDUCATIONAL COMMISSION FOR FOREIGN
11 MEDICAL GRADUATES,
12 Defendants.

13 -----X

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16 VIDEOTAPED DEPOSITION OF ELSA POWELL
17 Washington, D.C.

18 Friday, September 6, 2019
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1 ELSA POWELL,
2 having been first duly sworn and/or
3 affirmed on her oath, was thereafter examined and
4 testified as follows:

5 EXAMINATION

6 BY MS. MCENROE:

7 Q. Good morning, Ms. Powell.

8 A. Good morning, ma'am.

9 Q. For the record, could you just state your
10 complete name for me?

11 A. Elsa Miguelina Powell.

12 Q. And is it correct that your birthday is
13 April 14th, 1987?

14 A. That's correct.

15 Q. And that makes you 32 years old today?

16 A. That's correct.

17 Q. You understand that I'm here because you
18 have filed a lawsuit against the Educational
19 Commission for Foreign Medical Graduates; is that
20 correct?

21 A. Yes, ma'am.

22 Q. And we'll be taking your deposition today.
23 Do you understand that?

24 A. Yes, ma'am.

25 Q. And you've been deposed once before; is

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1 did you have another name before you got married?

2 A. I had another name.

3 Q. What was that name?

4 A. Delvillar-Mejia.

5 Q. That was the last name?

6 A. Yes.

7 Q. And was that hyphenated?

8 A. Yes.

9 Q. And have you used any other names besides
10 those we just discussed?

11 A. No, ma'am.

12 Q. And am I correct to assume that you
13 changed your name because you got married?

14 A. Correct.

15 Q. Do I have it right that you were married
16 in January 2015?

17 A. That's correct.

18 Q. To Gregory Lamont Powell?

19 A. That's correct.

20 Q. Is he still your husband today?

21 A. Yes, ma'am.

22 Q. How many children do you have?

23 A. I have five children.

24 Q. Would you please tell me their names and
25 ages?

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1 doctor's office, because that's when she stopped
2 seeing patients.

3 Q. You said it was a lady, so it was a female
4 OB/GYN?

5 A. Yes.

6 Q. Did she refer you to another doctor?

7 A. Yes.

8 Q. To whom did she refer you?

9 A. Dr. Chaudhry.

10 Q. Is Dr. Chaudhry an OB/GYN?

11 A. Yes.

12 Q. Where is he located?

13 A. In District Heights.

14 Q. How close to you is that?

15 A. At the time where I lived, it was about 15
16 minutes.

17 Q. Did you move at some point since then?

18 A. Yes, I did.

19 Q. Have you moved more than once since then?

20 A. Since then, yes.

21 Q. And so did you actually ever go see
22 Dr. Chaudhry?

23 A. I did not see Dr. Chaudhry. He was never
24 in there. I saw Dr. Akoda.

25 Q. Did you go to Dr. Chaudhry's practice?

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1 A. Yes, his office.

2 Q. So just tell me a little bit about how
3 that works. Did you call up to make an appointment
4 at Dr. Chaudhry's practice? Did the lady OB/GYN call
5 for you and make appointments, or how did that
6 transition happen, if you remember?

7 A. She gave me the referral. I called up
8 there and made an appointment. So when I got to my
9 appointment, they said that Dr. Chaudhry had to step
10 out, but Dr. Akoda was there. So I said, that's
11 fine, I just need to get care, I don't care who I
12 see. I was at my last stage of pregnancy.

13 Q. You were about six months, you said?

14 A. About six months, yes. So then that's
15 when I saw Dr. Akoda, and then all my regular
16 visits -- two weeks after that, every two weeks.

17 Q. Starting every two weeks?

18 A. Yes.

19 Q. Where did those visits take place?

20 A. At Dr. Chaudhry's office in District
21 Heights.

22 Q. Prior to going to Dr. Chaudhry's practice,
23 did you do any research into him, Dr. Chaudhry?

24 A. No.

25 Q. Can you tell me just a little bit about

1 Q. They began weekly?

2 A. Yes.

3 Q. Did your labor with Jaiden begin
4 naturally?

5 A. Yes. I was induced.

6 Q. Who induced you?

7 A. Dr. Akoda.

8 Q. Where?

9 A. PGH hospital.

10 Q. Did you have an appointment for that?

11 A. Yes.

12 Q. Why?

13 A. Because from my understanding that was the
14 policy. You had to make an appointment to get
15 induced.

16 Q. How far along were you when you were
17 induced, do you recall?

18 A. I was almost nine months, eight and a half
19 to nine.

20 Q. Do you remember if there was a medical
21 reason that you needed to get induced?

22 A. No.

23 Q. So is it fair to say that you had an
24 appointment to get induced and then you showed up at
25 PGH hospital then to actually be induced --

1 You can answer.

2 A. Yeah, it's a problem. You told me your
3 name was Akoda and come to find out it's not. I
4 mean, what other secrets are you hiding? I -- I
5 trusted you. You know, you touched my body. I mean,
6 that's -- I thought Akoda, you know, was my doctor,
7 who I trusted to do my exams and -- and touch my body
8 and deliver my baby.

9 I don't -- I don't know whatever his name is.
10 I don't -- it's beyond disturbing, it is. So, yeah,
11 it has -- it has a lot to do with his name, because
12 it's shocking. It's disturbing. I felt violated by
13 somebody who I don't know.

14 Q. When did you feel violated by Dr. Akoda?
15 When is it that you came to feel violated, if that
16 makes sense?

17 A. When I found out that Akoda was not Akoda.

18 Q. When he used a different name -- that he
19 had used a different name?

20 A. Yeah. So I was like, who -- who -- who
21 was it that was touching me, who was it that I had
22 trusted to say -- to put my -- my life on the line.
23 If my -- if my kids, my older kids -- if I would --
24 did die in that O.R. room, you know, and my kids have
25 questions, and come to find out, oh, you know, it

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1 A. When I went for my six-weeks checkup.

2 Q. Was that the first time you met Dr. Akoda?

3 A. Who, me?

4 Q. Oh, I'm sorry. Strike that. I was --
5 six-month checkup is what I was thinking when you
6 said --

7 A. Six weeks.

8 Q. So it was post-delivery.

9 A. Yes.

10 Q. Okay. So -- so let me start that over
11 again.

12 So Mr. Powell, your husband, came with you to
13 your six-week post-delivery appointment; is that
14 correct?

15 A. Yes.

16 Q. And your husband met Dr. Akoda at that
17 time?

18 A. Yes.

19 Q. Did anything happen at that appointment
20 other than you getting checked out?

21 A. He stayed in the lobby and I went in, and
22 that's when he burned an ovarian cyst that he said
23 that I had.

24 Q. So your husband waited in the waiting
25 room?

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1 into the meat of the complaint, each paragraph has a
2 number. Do you see that? So it's on page 9,
3 paragraph 42. Let me know when you're there.

4 A. I'm here.

5 Q. Great. That paragraph says, "the
6 plaintiff, Elsa Powell" -- that's you?

7 A. Correct.

8 Q. "-- was a patient of Igberase on or about
9 September 17th, 2014, and on several occasions
10 thereafter Igberase delivered Elsa Powell's son on
11 that date at Prince George's Hospital Center."

12 Did I read that correctly?

13 A. That's correct.

14 Q. And do you understand in the complaint
15 that the reference to Igberase is also Dr. Akoda?

16 A. Unfortunately, yes.

17 Q. Okay. But you understand that those mean
18 the same for the purposes of this complaint; is that
19 correct?

20 A. Correct.

21 Q. Are the -- is the information in paragraph
22 42 correct?

23 A. That's correct.

24 Q. I'd like to direct your attention to
25 paragraph 44, which is on the next page on the top.